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Date: Wednesday, October 25, 2006To: Examiner: LE, Mark Group Art Unit 3617Firm/Company: United States Patent and Trademark OfficeFax Number: 571-273-8300From: Robert J. Schneider, Reg. No. 27,383Matter Number: 1716026Serial No. U.S. Pat. App. Ser. No. 10/508,817Extension: 3919

Comments:

RESPONSE TO OFFICE ACTION ATTACHED.

Sincerely,

Robert J. Schneider

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U.S. PAT. APP. SER. No. 10/508,817

ATTORNEY DOCKET No. 1716026

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF:

JAGER, ET AL.

U.S. APP. SERIAL NO.: 10/508,817

U.S. NATIONAL STAGE OF PCT/AT03/00099

U.S. FILING DATE: September 22, 2004

FOR: TRANSITION RAIL AND METHOD FOR
PRODUCING SAID TRANSITION RAIL

EXAMINER: LE, MARK T.

GROUP ART UNIT: 3617

CONFIRMATION NO.: 6219

FILED BY FACSIMILE TO 571-273-8300

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

The following is filed in timely response to the non-final Office Action mailed on July 26, 2006, wherein the Examiner:

1. Rejected Claims 1-2 as being anticipated under Section 102(b) by Bourland, U.S. Patent No. 2,209,725.

2. Rejected Claims 1-3 and 7 as being anticipated under Section 102(b) by Curtis, U.S. Patent No. 607,221.

3. Indicated that Claim 11 would be allowable if it is rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 3 of this paper.

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